

## 2007-2008 CHARTER ISSUE SUMMARY

### Open Space Amendment

**Issue subject:** Should the Charter provide additional protection for certain open space lands owned by King County?

**Issue raised by:** The Executive and DNRP worked together to develop this concept, then conveyed it to the Commission for its consideration. The Rural/Local Subcommittee took up the amendment, and analyzed and modified it.

**Description of issue:** The Amendment provides additional protection for over 100,000 acres of open space land owned by the county, in perpetuity. These lands were chosen for additional protection due to their irreplaceable environmental, landscape, biodiversity, and/or commercial forestry values. The Amendment will protect these lands for future generations of residents, unless an exception must be made for the public good, or the citizens vote to remove a property from Charter protection.

The Amendment strengthens protections against a property being sold or relinquished by the County, and strengthens the protection of a property's natural, open space character, so that these lands will not be lost to the pressures of development.

#### **Suggested charter revision:**

New Section 897. High Conservation Value Properties.

The clerk of the council shall maintain the list of inventoried high conservation value properties set forth as Appendix A to this charter. The inventory may only include properties in which the county owns a fee simple interest or a lesser interest. No inventoried property or property interest shall ever be conveyed, relinquished, or converted to a different use than was authorized at the time of acquisition, as evidenced by deed, easement, covenant, contract or funding source requirements, except that this section shall not prevent: the conveyance of an inventoried property or property interest to another government, the conveyance of an inventoried property or property interest under the lawful threat or exercise of eminent domain; the grant of an easement, license, franchise or use agreement for utilities or other activities compatible with use restrictions in place at the time of acquisition; or the use of an inventoried property or property interest for habitat restoration, flood control, low-impact public amenities or regionally significant public facilities developed for purposes related to the conservation values of the property, road or utility projects, or emergency projects necessary to protect public health, welfare or safety. This section shall not affect any contractual obligations entered into as part of the county's acquisition of an inventoried property or property interest.

**Subcommittee Recommendations:**

The Subcommittee voted to adopt the first version of the Charter language as above, 5-2.

**Summary of arguments for and against:**

Pros: The Amendment would add additional protection to valuable open space lands that will be increasingly pressured by urban development. It is a no-cost method that gives the citizens permanent control over some of their most significant open spaces.

Cons: Committee members have argued that the proposal to include a list of specific parcels within the Charter raises a significant policy issue with respect to the proper role of the King County Charter. John Groen stated that “It would not be prudent to utilize the charter as a vehicle to implement specific choices as to the use of particular parcels. The decisions as to what parcels should be included on an inventory list are properly the subject of ordinances.”